

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Case No: 21-11298-LGB

286 Rider Ave Acquisition LLC,

Chapter 11

Debtor.

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**ORDER ON MOTION OF 286 RIDER AVE DEVELOPMENT LLC PURSUANT TO  
FEDERAL RULE OF BANKRUPTCY PROCEDURE 9023 AND FEDERAL RULE  
OF CIVIL PROCEDURE 60 FOR RELIEF FROM ORDER PURSUANT TO  
BANKRUPTCY RULE 2004 AUTHORIZING DISCOVERY EXAMINATIONS OF  
(i) TOBY MOSKOVITS AND (ii) MICHAEL LICHTENSTEIN**

On July 16, 2021, the Court entered the *Order Granting 286 Rider Ave Acquisition LLC's Ex Parte Motion for Entry of an Order Pursuant to Bankruptcy Rule 2004 Authorizing Discovery Examinations of (I) Toby Moskovits and (II) Michael Lichtenstein* docketed at ECF No. 5 ("2004 Order").

On August 12, 2021, 286 Rider Ave Development LLC filed the *Motion of 286 Rider Ave Development LLC Pursuant to Federal Rule of Bankruptcy Procedure 9023 and Federal Rule of Civil Procedure 60 for Relief from Order Pursuant to Bankruptcy Rule 2004 Authorizing Discovery Examinations of (I) Toby Moskovits and (II) Michael Lichtenstein* docketed at ECF No. 20 (the "Motion"). On August 19, 2021, 286 Rider Ave Acquisition LLC filed an objection to the Motion docketed at ECF No. 28.

On August 30, 2021, the Court held a hearing on the Motion.

It is hereby ORDERED as follows:

1. The Motion is denied for the reasons stated on the record.
2. The document request deadlines set forth in the 2004 Order are extended to September 3, 2021, at 5:00 p.m. (ET).
3. The parties shall promptly meet and confer regarding scheduling examinations under oath for Toby Moskovits and Michael Lichtenstein and attempt to agree on dates for such examinations by September 3, 2021. In the event that the parties are unable to

agree upon dates for such examinations under oath, the parties will contact the Court and request a status conference.

4. Except as set forth herein the terms and conditions of the 2004 Order shall remain unchanged and in full force and effect.

Dated: New York, New York  
August 30, 2021

**/s/ Lisa G. Beckerman**

HON. LISA G. BECKERMAN  
U.S. BANKRUPTCY JUDGE